

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

v.

**NOTICE OF MOTION**

Case No. 19-CR-227

JOSEPH BONGIOVANNI,  
PETER GERACE, JR.

Defendants.

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SIRS:

PLEASE TAKE NOTICE that upon the annexed Declaration of Steven M. Cohen, Esq. with attached exhibits, duly sworn to on the 21<sup>st</sup> day of December, 2021, and upon the indictment and other proceedings previously had herein, the undersigned will move this Court, at a term to be held in the United States Courthouse, Buffalo, New York, on the \_\_\_\_ day of December, 2021 at 10:00 o'clock in the forenoon of that date, or as soon thereafter as counsel may be heard, for an order granting the following relief:

- (1) Reconsidering the Hon. Michael J. Roemer's denial for Defendant's Request Amendment of the conditions of Mr. Gerace's release pursuant to 18 U.S.C. § 3142 (a)(2); and
- (2) Such other and further relief as the Court deems proper.

DATED: December 21, 2021

Respectfully submitted,

/s/ Steven M. Cohen, Esq.

Steven M. Cohen, Esq.

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